



Case 7417

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of :
 Hoi Lun Allan TSE :
 I.A. No.: PCT/CA03/00522 :
 I.A. Filing Date: April 8, 2003 :
 U.S. Serial No. 10/510,890 :
 Filed: October 8, 2004 :
 For: PROCESS AND INTERMEDIATES :
 FOR PREPARING ESCITALOPRAM :

#8

RESPONSE TO NOTICE OF MISSING REQUIREMENTS
UNDER 35 U.S.C. 371 IN THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)

08/12/2005 MKAYPRGH 00000127 10510890

01 FC:1617

130.00 OP

Honorable Commissioner for Patents
 P.O. Box 1450
 Alexandria, Virginia 22313-1450

Dear Sir:

In response to the Notice of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) mailed July 1, 2005 attached is a check in the amount of \$130.00 for the late Oath and Declaration surcharge.

Also enclosed is a copy of an executed Declaration and Power of Attorney filed March 11, 2005 together with a date-stamped card evidencing filing.


It is respectfully requested that all future correspondence in connection with this application be forwarded to the new counsel of record at the following address:

Michael M. Zadrozny, Esquire
SHLESINGER, ARKWRIGHT & GARVEY, LLP
1420 King Street, Suite 600,
Alexandria, Virginia 22314
Tel. No. (703) 684-5600
Fax No. (703) 836-5288
Customer No. **39196**

It is believed that no fee is due for this submission; however, should that determination be incorrect, the Examiner is hereby authorized to charge any deficiencies to our Deposit Account No. 19-2105, and notify the undersigned in due course.

Respectfully submitted,

Date: AUGUST 9, 2005


Michael M. Zadrozny
Attorney for Applicant
Reg. No. 30,985

SHLESINGER, ARKWRIGHT & GARVEY, LLP
1420 King Street, Suite 600,
Alexandria, Virginia 22314
(703) 684-5600
mr

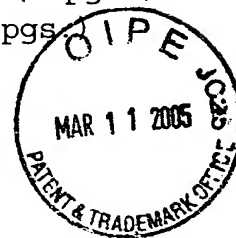
Case 7417

MMZ/lm

In re Patent Application Hoi Lun Allan TSE
Serial No.: 10/510,890 - Filed: October 8, 2004
For: PROCESS AND INTERMEDIATES FOR PREPARING ESCITALOPRAM

INCLUDING: **CHANGE OF CORRESPONDENCE ADDRESS AND SUBMISSION
OF DECLARATION AND POWER OF ATTORNEY** (2 pgs.)
Executed Declaration and Power of Attorney (3 pgs.)

PLEASE STAMP DATE RECEIVED AND RETURN.



MAILROOM

DECLARATION AND POWER OF ATTORNEY - ORIGINAL APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below beneath my name:

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which Letters Patent is sought on the invention entitled

PROCESS AND INTERMEDIATES FOR PREPARING ESCITALOPRAM

the specification of which _____ is attached hereto
(check one) ☒ was filed on October 8, 2004
as Application S.N. 10/510,890
and was amended on _____

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by an amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International Application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or invention certificate, or a PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)	Priority Claimed
<u>CA 2,381,341</u>	<u>CANADA</u>
<u>09/04/02</u>	<u>X</u>
(Number)	(Country) (Day/Month/Year Filed) YES NO

(Number) (Country) (Day/Month/Year Filed) YES NO

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

(Application Ser. No.) (Filing Date)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s), or §365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

PCT/CA03/00522	April 8, 2003	Pending
(Application Ser. No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

B. Edward Shlesinger, Jr., Reg. No. 17,225; Josefino P. de Leon, Reg. No. 33,166; Terrence L. B. Brown, Reg. No. 32,685; and Michael M. Zadrozny, Reg. No. 30,985.

SEND CORRESPONDENCE TO: **SHLESINGER, ARKWRIGHT & GARVEY LLP**
1420 King Street, Suite 600,
Alexandria, Virginia 22314

DIRECT TELEPHONE CALLS TO **Michael M. Zadrozny (703) 684-5600**

The undersigned hereby authorizes the U.S. attorney(s) or agent(s) named herein to accept and follow instructions from **Ridout & Maybee** as to any action to be taken in the Patent and Trademark Office regarding this application without direct communication between the U.S. attorney(s) or agent(s) and the

undersigned. In the event of a change in the persons from whom instructions may be taken, the U.S. attorney(s) or agent(s) named herein will be so notified by the undersigned.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that the statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full name of sole or first inventor HOI LUN ALLAN TSE
Inventor's signature *Alan Tse* Date March 7, 2005
Residence 42 Dogwood Street, Markham, Ontario, Canada L6E 1G3
Citizenship Canadian
Post Office Address same as above